

Carolina Observer.

FAYETTEVILLE, N. C. THURSDAY AFTERNOON, DECEMBER 11, 1828.

[No. 601.]

NOTICE.
Court of Pleas and Quarter Sessions for the County of Cumberland, the said Court will sit on the 1st day of January, 1829, at 10 o'clock, A. M., to receive and determine all pleas, and to make and execute all writs, and to do all other business which may be required by law, or by the Court. Dated at Cumberland, this 10th day of December, 1828. J. A. DONALDSON, Clerk.

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first proclaimed to the world in the first commercial treaty ever concluded by the United States, that of 1778, with France, has been invariably the cherished policy of our Union. It is by treaties of commerce alone that it can be made to prevail as the established system of all civilized nations. With this principle our fathers extended the hand of friendship to every nation of the globe, and to this policy our country has ever since adhered—whatever of regulation in our laws has ever been adopted unfavorable to the interest of any foreign nation, has been essentially defensive and conforming to similar regulations of their's operating against us.

Immediately after the close of the war of independence, Commissioners were appointed by the Congress of the Confederation, authorized to conclude treaties with every nation of Europe disposed to adopt them. Before the war of the French Revolution, such treaties had been consummated with the United Netherlands, Sweden, and Prussia. During those wars, treaties with Great Britain and Spain had been effected, and those with Russia and France renewed. In all these, some concessions to the liberal principles of intercourse proposed by the U. States, had been obtained; but, in all negotiations, they came occasionally in collision with previous internal regulations, or exclusive and excluding compacts of monopoly, with which the other parties had been tampered, the advances made in them towards the freedom of trade were partial and imperfect. Colonial establishments, chartered companies, and ship building influence, pervaded and encumbered the legislation of all the great commercial States; and the United States in offering free trade and equal privilege to all, were compelled to acquiesce in many exceptions with each of the parties to their treaties, accommodated to their existing laws and anterior engagements.

The colonial system by which this whole hemisphere was bound, has fallen into ruins; totally abolished by revolutions, converting colonies into independent nations, throughout the two American Continents, excepting a portion of territory chiefly at the northern extremity of our own, and confined to the remnants of dominion retained by Great Britain over the insular Archipelago, geographically the appendages of our part of the globe. With all the rest we have free trade—even with the insular colonies of all the European nations, except Great Britain. Her Government had also manifested approaches to the adoption of a free and liberal intercourse between her colonies and other nations, though, by a sudden and scarcely explained revolution, the spirit of exclusion has been revived for operation upon the United States alone.

The conclusion of our last treaty of Peace with Great Britain was shortly afterwards followed by a Commercial Convention, placing the direct intercourse between the two countries upon a footing of more equal reciprocity than had ever before been admitted. The same principle has since been much further extended, by treaties with France, Sweden, Denmark, the Hanseatic Cities, Prussia in Europe, and with the Republics of Colombia, and of Central America, in this hemisphere. The mutual abolition of discriminating duties and charges, upon the navigation and commercial intercourse between the parties, is the general maxim which characterizes them all. There is reason to expect that it will, at no distant period, be adopted by other nations, both of Europe and America; and to hope that, by its universal prevalence, one of the fruitful sources of wars of commercial competition will be extinguished.

Among the nations upon whose Governments many of our fellow citizens have long-pending claims of indemnity, for depredations upon their property during a period when the rights of neutral commerce were disregarded, was that of Denmark. They were soon after the events occurred, the subject of a special mission from the United States, at the close of which the assurance was given, by his Danish Majesty, that, at a period of more tranquility, and of less distress, they would be considered, examined, and decided upon, in a spirit of determined purpose for the dispensation of justice. I have much pleasure in informing Congress that the fulfillment of this honorable promise is now in progress; that a small portion of the claims has already been settled, to the satisfaction of the claimants; and that we have reason to hope that the remainder will shortly be placed in a train of equitable adjustment. This result has always been confidently expected, from the character of personal integrity, and of benevolence, which the Sovereign of the Danish Dominions has, through every vicissitude of fortune, maintained.

The general aspect of the affairs of our neighboring American Nations of the South has been rather of approaching than of settled tranquility. Internal disturbances have been more frequent among them than their common friends would have desired. Our intercourse with all has continued to be that of friendship and of mutual good will. Treaties of Commerce and of Boundaries with the United Mexican States have been negotiated, but, from various successive obstacles, not yet brought to a final conclusion. The civil war which unfortunately still prevails in the Republic of Central America, has been unpropitious to the cultivation of our commercial relations with them, and the dissensions and revolutionary changes in the Republics of Colombia and of Peru, have been seen with cordial regret by us, who would gladly contribute to the happiness of both. It is with great satisfaction, however, that we have witnessed the recent conclusion of a Peace between the Governments of Buenos Ayres and Brazil, and it is equally gratifying to observe that indemnity has been obtained for some of the injuries which our fellow citizens had sustained in the latter of those countries. The rest are in a train of negotiation, which we hope may terminate in mutual satisfaction, and that it may be succeeded by a treaty of commerce and navigation upon liberal principles, propitious to a great and growing commerce, already important to the interests of our country.

The condition and prospects of the Revenue are more favorable than our most sanguine expectations had anticipated. The balance in the Treasury on the first of January last, exclusive of the moneys received under the Convention of 13th November, 1826, with Great Britain, was \$5,861,922 83. The receipts into the Treasury from the 1st of January to the 30th of September last, so far as they have been ascertained to form the basis of an estimate, amount to \$18,633,980 27, which, with the receipts of the present quarter, estimated at \$5,461,283 40, form an aggregate of receipts during the year of \$24,094,363 63 cents. The expenditures of the year may probably amount to \$25,637,511 63 cents; and if this be the Treasury on the 1st of January next, the sum of \$1,542,853 14.

The receipts of the present year have amounted to near two millions more than was anticipated at the commencement of the last session of Congress. The amount of duties secured on importations from the first of January to the 30th of September, was about \$2,297,000, and that of the estimated accruing revenue is five millions, leaving an aggregate for the year of nearly eight millions. This is one million more than the estimate made last December for the accruing revenue of the present year, which, with allowances for drawbacks and contingent deficiencies, was expected to produce an actual revenue of \$2,300,000. Had these only been realized, the expenditures of the year would have been also proportionally reduced. For of these twenty-four millions received, upward of nine millions have been applied to the extinction of public debt bearing an interest of six per cent a year, and of course reduced

the burden of interest annually payable in future, by the amount of more than a million. The payments on account of interest during the current year exceed three millions of dollars, presenting an aggregate of more than twelve millions applied during the year to the discharge of the public debt, the whole of which remaining due on the first of January next, will amount only to \$8,362,133 78.

That the revenue of the ensuing year will not fall short of that received in the one now expiring, there are indications which can scarcely prove deceptive. In our country, a uniform experience of forty years has shown that whatever the duties upon articles imported from abroad be, the amount of importations has always borne an average value nearly approaching to that of the exports, though, occasionally differing in the balance, sometimes being more and sometimes less. This, indeed, a general law of prosperous commerce, that the real value of exports should, by a small, and only a small balance, exceed that of imports, the balance being a permanent addition to the wealth of the nation. The extent of the prosperous commerce of the nation must be regulated by the amount of the exports, and an important addition to the value of these will draw after it a corresponding increase of importations. It has happened, in the vicissitudes of the seasons, that the harvests of all Europe have, in the late summer and autumn, fallen short of their usual average. A relaxation of the interdiction upon the importation of grain and flour from abroad has ensued; a propitious market has been opened to the farmers of our country; and a new prospect of reward presented to the labors of the husbandman, which, for several years, has been denied. This accession to the profits of agriculture in the middle and western portions of our Union is accidental and temporary. It may continue for a single year. It may, as has been often experienced in the revolution of time, but the first of several scanty harvests in succession. We may consider it certain that, for the approaching year, it has added an item of large amount to the value of our exports, and that it will produce a corresponding increase of importations. It may, therefore, confidently be foreseen, that the revenue of 1829 will equal, and probably exceed that of 1828, and will afford the means of extinguishing ten millions more of the principal of the public debt.

This new element of prosperity, to that part of our agricultural industry which is occupied in producing the first article of human subsistence, of the most cheering character to the feelings of patriotism.—Proceeding from a cause which humanity will view with concern, the sufferings of scarcity in distant lands, it yields a consolatory reflection, that this scarcity is in no respect attributable to us. That it comes from the dispensation of him who ordains all in wisdom and goodness, and who permits evil itself only as an instrument of good. That, far from contributing to this scarcity, our agency will be applied only to the alleviation of its severity, and that in pouring forth, from the abundance of our own granaries, the supplies which will partially restore plenty to those who are in need, we shall ourselves reduce our stores, and add to the price of our own bread, so as in some degree to participate in the want which it will be the good fortune of our country to relieve.

The great interests of an agricultural, commercial, and manufacturing nation, are so linked in union together, that no permanent cause of prosperity to one of them can operate without extending its influence to the other. All these interests are alike under the protecting power of the legislative authority; and the duties of the representative bodies are to conciliate them in harmony together. So far as the object of taxation is to raise a revenue for discharging the debts, and defraying the expenses of the community, it should as much as possible suit the burden with equal hand upon all, in proportion with their ability of bearing it without oppression. But the legislation of one nation is sometimes intentionally made to bear heavily upon the interests of another. That legislation, adapted as it is meant to be, to the special interests of its own people, will often press most unequally upon the several component interests of its neighbors. Thus, the legislation of Great Britain, when, as has recently been avowed, adapted to the depression of a rival nation, will naturally abound with regulations of interdiction upon the productions of the soil or industry of the other which come in competition with its own, and will present encouragement, perhaps even bounty, to the raw material of the other State, which it cannot produce itself, and which is essential for the use of its manufactures, competitors in the markets of the world with those of its commercial rival. Such is the state of the commercial legislation of Great Britain, as it bears upon our interests. It excludes, with interdicting duties, all importation (except in time of approaching famine) of the great staple productions of our Middle and Western States; it proscribes, with equal rigor, the bulkier lumber and live stock of the same portion, and also of the Northern and Eastern part of our Union. It refuses even the rice of the South, unless aggravated with a charge of duty upon the Northern carrier who brings it to them. But the cotton, indispensable for their looms, they will receive almost duty free, to weave it into a fabric for our own wear, to the destruction of our own manufactures, which they are enabled thus to undersell. Is the self-protecting energy of this nation so helpless that there exists, in the political institutions of our country, no power to counteract the bias of this foreign legislation? that the growers of grain must submit to this exclusion from the foreign markets of their produce; that the shippers must dismantle their ships, the trade of the North stagnate at the wharves, and the manufacturers starve at their looms, while people shall pay tribute to foreign industry to be clad in a foreign garb; that the Congress of the Union are impotent to restore the balance in favor of native industry destroyed by the statutes of another realm? More just and more generous sentiments will, I trust, prevail. If the tariff adopted at the last session of Congress shall be found, by experience, to bear oppressively upon the interests of any one section of the Union, it ought to be, and I cannot doubt will be, so modified as to alleviate its burthen. To the voice of just complaint from any portion of their constituents, the Representatives of the State and People will never turn away their ears. But so long as the duty of the foreign shall

operate only as a bounty upon the domestic article—while the planter, and the merchant, and the shepherd, and the husbandman, shall be found thriving in their occupations under the duties imposed for the protection of domestic manufactures, they will not repine at the prosperity shared with themselves by their fellow-citizens of other professions, nor denounce as violations of the Constitution the deliberate acts of Congress to shield from the wrogs of foreign laws the native industry of the Union. While the tariff of the last session of Congress was a subject of legislative deliberation, it was foretold by some of its opposers that one of its necessary consequences would be to impair the revenue. It is yet too soon to pronounce, with confidence, that this prediction was erroneous. The obstruction of one avenue of trade not unfrequently opens an issue to another. The consequence of the tariff will be to increase the exportation, and to diminish the importation of some specific articles. But, by the general law of trade, the increase of exportation of one article will be followed by an increased importation of others, the duties upon which will supply the deficiencies, which the diminished importation would otherwise occasion. The effect of taxation upon revenue can seldom be foreseen with certainty. It must abide the test of experience. As yet no symptoms of diminution are perceptible in the receipts of the Treasury.—As yet, little addition of cost has even been experienced upon the article burdened with heavier duties by the last tariff. The domestic manufacturer supplies the same or a kindred article at a diminished price, and the consumer pays the same tribute to the labor of his own countrymen, which he must otherwise have paid to foreign industry and toil.

The tariff of the last session was in its details, not acceptable to the great interests of any portion of the Union, not even to the interests which it was specially intended to subserve. Its object was to balance the burdens upon native industry imposed by the operation of foreign laws; but not to aggravate the burdens of one section of the Union by the relief afforded to another. To the great principle sanctioned by that act, one of those upon which the Constitution itself was formed, I hope and trust the authorities of the Union will adhere. But if any of the duties imposed by the act only relieve the manufacturer by aggravating the burden of the planter, let a careful revision of its provisions, enlightened by the practical experience of its effects, be directed to retain those which impart protection to native industry, and remove or supply the place of those which only alleviate one great national interest by the depression of another.

The United States of America, and the People of every State of which they are composed, are each of them Sovereign Powers. The legislative authority of the whole is exercised by Congress under authority granted them in the common Constitution. The legislative power of each State is exercised by assemblies deriving their authority from the Constitution of the State. Each is sovereign within its own province. The distribution of power between them presupposes that these authorities will move in harmony with each other. The members of the State and General Governments are all under oath to support both, and allegiance is due to the one and to the other. The case of a conflict between these two powers has not been supposed; nor has any provision been made for it in our institutions; as a virtuous Nation of ancient times existed more than five centuries without a law for the punishment of parricide.

More than once, however, in the progress of our history, have the People and Legislatures of one or more States, in moments of excitement, been instigated to this conflict; and the means of effecting this impulse have been allegations that the acts of Congress to be resisted were unconstitutional. The People of no one State have ever delegated to their Legislature the power of pronouncing an act of Congress unconstitutional; but they have delegated to them powers, by the exercise of which the execution of the laws of Congress within the State may be resisted. If we suppose the case of such conflicting legislation sustained by the corresponding Executive and Judicial authorities, Patriotism and Philanthropy turn their eyes from the condition in which the parties would be placed, and from that of the people of both, which must be its victims.

The Reports from the Secretary of War, and from the various subordinate offices of the resort of that Department, present an exposition of the public administration of affairs connected with them, through the course of the present year. The present state of the army, and the distribution of the force of which it is composed, will be seen from the Report of the Major General. Several alterations in the disposal of the troops have been found expedient in the course of the year, and the discipline of the army, though not entirely free from exception, has been generally good.

The attention of Congress is particularly invited to that part of the Report of the Secretary of War which concerns the existing system of our relations with the Indian tribes. At the establishment of the Federal Government, under the present Constitution of the United States, the principle was adopted of considering them as foreign and independent powers; and also as proprietors of lands.—They were, moreover, considered as savages, whom it was our policy and our duty to use our influence in converting to Christianity, and in bringing within the pale of civilization.

As Independent Powers, we negotiated with them by treaties: as proprietors, we purchased of them all the lands which we could prevail upon them to sell—as brethren of the human race, rude and ignorant, we endeavored to bring them to the knowledge of religion and of letters. The ultimate design was to incorporate in our own institutions that portion of them which could be converted to the state of civilization. In the practice of European States, before our Revolution, they had been considered as children to be governed; as tenants at discretion, to be disposed as occasion might require; as hunters to be indemnified by trifling concessions for removal from the grounds upon which their game was extirpated. In changing the system, it would seem as if a full contemplation of the consequences of the change had not been taken. We have been far more successful in the acquisition of their lands than in imparting to them the principles, or inspiring them with the spirit of civilization. But in appropriating to ourselves their hunting grounds, we have brought upon ourselves the obligation of providing them with subsistence; and when we have had the rare good fortune of teaching them the arts of civilization, and the doctrines of Christianity, we have unexpectedly found them forming, in the midst of ourselves, communities claiming to be independent of ours, and rivals of sovereignty within the territories of the members of our Union. This state of things requires that a remedy should be provided. A remedy which, while it shall do justice to those unfortunate children of nature, may secure to the members of our confederation their rights of sovereignty and soil. As the outline of a project to that effect, the views presented in the Report of the Secretary of War are recommended to the consideration of Congress.

The Report from the Engineer Department presents a comprehensive view of the progress which has been made in the great system, comprehensive of the public interest, commenced and organized under the authority of Congress, and the effects of which have already contributed to the security, as they will hereafter largely contribute to the honor and dignity of the nation.

The first of these great systems is that of fortifications, commenced immediately after the close of the last war, under the salutary experience which the events of that war had impressed upon our countrymen of its necessity. Introduced under the auspices of my immediate predecessor, it has been continued with the persevering and liberal encouragement of the Legislature; and combined with corresponding exertions for the gradual increase and improvement of the Navy, prepares for our extensive country a condition of defence adapted to any critical emergency which the varying course of events may bring forth. Our advances in these concerted systems have for the last ten years been steady and progressive, and in a few years more, will be so completed as to leave no cause for apprehension that our seacoast will ever again offer a theatre of hostile invasion.

The next of these cardinal measures of policy, is the preliminary to great and lasting works of public improvement, in the surveys of roads, examination for the course of canals, and labors for the removal of the obstructions of rivers and harbors, first commenced by the act of Congress of 30th April, 1824.

The report exhibits in one table the funds appropriated at the last and preceding session of Congress, for all these fortifications, surveys, and works of public improvement; the manner in which these funds have been applied, the amount expended upon the several works under construction, and the further sums which may be necessary to complete them. In a second, the works projected by the Board of Engineers, which have not been commenced, and the estimate of their cost.

In a third, the report of the annual Board of Visitors at the Military Academy at West Point. For 13 fortifications erected on various parts of our Atlantic coast, from Rhode Island to Louisiana, the aggregate expenditure of the year has fallen a little short of one million of dollars.

For the preparation of five additional reports of reconnaissance and surveys since the last session of Congress, for the civil constructions upon thirty-seven different public works commenced, eight others for which specific appropriations have been made by Acts of Congress, and twenty other incipient surveys under the authority given by the Act of 30th April, 1824, about one million more of dollars have been drawn from the Treasury.

To these two millions of dollars are to be added the appropriation of 250,000 dollars, to commence the erection of a Breakwater near the mouth of the Delaware river; the subscriptions to the Delaware and Chesapeake, the Louisville and Portland, the Dismal Swamp, and the Chesapeake and Ohio Canal; the large donations of lands to the States of Ohio, Indiana, Illinois, and Alabama, for the objects of improvements within those States, and the sums appropriated for Light Houses, Buoys, and Piers, on the coast, and a full view will be taken of the munificence of the Nation in the application of its resources to the improvement of its own condition.

Of these great national undertakings the Academy at West Point is among the most important in itself, and the most comprehensive in its consequences.—In that Institution, a part of the revenue of the nation is applied to defray the expense of educating a competent portion of her youth, chiefly to the knowledge and the duties of military life. It is the living armory of the nation. While the other works of improvement enumerated in the reports now presented to the attention of Congress, are destined to ameliorate the face of nature; to multiply the facilities of communication between the different parts of the Union, to assist the labors, increase the comforts, and change the enjoyments of individuals—the Institution acquired at West Point enlarges the domain and expands the capacities of the mind. Its beneficial results are already experienced in the composition of the army, and their influence is felt in the intellectual progress of society. The Institution is susceptible still of great improvement from benefactions proposed by several successive Boards of Visitors, to whose earnest and repeated recommendations I cheerfully add my own.

With the usual annual reports from the Secretary of the Navy and the Board of Commissioners, will be exhibited to the view of Congress, the execution of the laws relating to that department in the West Indian and in the Grecian seas, has been effectually maintained with scarcely any exception. During the war between the Governments of Buenos Ayres and of Brazil, frequent collisions between belligerent acts of power and the rights of neutral commerce occurred. Licentious blockades, irregularly enlisted or impressed seamen, and the property of honest commerce seized with violence, and even plundered—

er legal pretences, are disorders never separable from the conflicts of war upon the ocean. With a portion of them, the correspondence of our commanders on the eastern aspect of the South American coast, and among the islands of the Pacific, have been asserted and vindicated. The appearance of new squadrons in the Mediterranean, and the blockade of the Dardanelles, indicate the danger of other obstacles to the freedom of commerce, and the necessity of keeping our Naval force in those seas. To the suggestions repeated in the report of the Secretary of the Navy, and tending to the permanent improvement of this institution, I invite the favorable consideration of Congress.

A resolution of the House of Representatives, requesting that one of our small public vessels should be sent to the Pacific Ocean and South Sea, to examine the coasts, islands, harbors, shoals, and reefs, in those seas, and to ascertain their true situation and description, has been put in a train of execution. The vessel is nearly ready to depart; the successful accomplishment of the expedition provisions, and particularly by an appropriation to defray its necessary expense. The addition of a second, and, perhaps, a third vessel, with a slight aggravation of the cost, would contribute much to the safety of the citizens embarked on this undertaking, the results of which may be of the deepest interest to our country.

With the report of the Secretary of the Navy, will be submitted, in conformity to the act of Congress, of third March, 1827, for the gradual improvement of the Navy of the United States, statements of the expenditures under that act, and of the measures taken for carrying the same into effect. Every section of that statute contains a distinct provision, looking to the great object of the law, the gradual improvement of the Navy. Under its salutary sanction, stores of ship timber have been procured, and are in process of seasoning and preservation for the future uses of the Navy. Arrangements have been made for the preservation of the live oak timber growing on the lands of the United States, and for its reproduction, to supply, at future and distant days, the waste of that most valuable material for ship building, by the great consumption of the Dry Docks at Charleston and at Norfolk, is making satisfactory progress towards a durable establishment. The examinations and inquiries to ascertain the practicability and expediency of a Marine Railway at Pensacola, though not yet accomplished, have been postponed, but to be more effectually made. The Navy Yards of the United States have been examined, and plans for their improvement, and the preservation of the public property therein, at Portsmouth, Charleston, Philadelphia, Washington, and Gosport, and to which two others are to be added, have been prepared, and received my sanction; and no other portion of my public duties has been performed with a more intimate conviction of its importance to the future welfare and security of the Union.

With the report from the Postmaster General, is exhibited a comparative view of the gradual increase of that establishment, from five to five years, since 1793, till this time, in the number of Post Offices, which has grown from less than two hundred to nearly eight thousand; in the revenue yielded by them, which, from sixty-seven thousand dollars has swollen to upward of a million and a half, and in the number of miles of Post Roads, which, from five thousand six hundred and forty-two, have multiplied to one hundred and fourteen thousand five hundred and thirty-six. While, in the same period of time, the population of the Union has about threefolded, the rate of increase of these offices is nearly forty, and of the revenue, and of travelled miles, from twenty to twenty-five per cent. The increase of revenue, within the last five years, has been nearly equal to the whole revenue of the Department in 1812.

The expenditures of the Department, during the year which ended on the first of July last, have exceeded the receipts by a sum of about twenty-five thousand dollars. The excess has been occasioned by the increase of mail conveyances and facilities, to the extent of near eight hundred thousand miles. It has been supplied by collections from the Postmasters, of the arrearages of preceding years. While the correct principle seems to be, that the income levied by the Department should defray all its expenses, it has never been the policy of this Government to raise from this establishment any revenue to be applied to any other purposes. The suggestion of the Postmaster General, that insurance of the safe transmission of moneys by the mail, might be assumed by the Department, for a moderate and competent remuneration, will deserve the consideration of Congress.

The commissioners appointed conformably to the act of 2d March, 1827, to provide for the adjustment of claims of persons entitled to indemnification under the first Article of the Treaty of Ghent, and for the distribution among such claimants of the sum paid by the Government of Great Britain under the Convention of 13th November, 1826, closed their labors on the 30th of August last, by awarding the claimants the sum of one million one hundred and ninety-seven thousand four hundred and twenty-two dollars and eighteen cents, leaving a balance of seven thousand five hundred and thirty-seven dollars and eighty-two cents, which was distributed ratably amongst all the claimants to whom awards had been made, according to the directions of the act.

The exhibits appended to the report from the Commissioner of the General Land Office present the actual condition of that common property of the Union. The amount paid into the treasury from the proceeds of lands, during the year 1827, and the first half of 1828, falls little short of two millions of dollars. The propriety of further extending the time for the extinguishment of the debt due to the United States by the purchasers of the public lands, limited, by the act of 21st March last, to the fourth of July next, will claim the consideration of Congress, to whose vigilance and careful attention, the regulation, disposal, and preservation, of this great national inheritance has by the People of the United States been entrusted.

Among the important subjects to which the attention of the present Congress has already been invited, and which may occupy their further and deliberate discussion, will be the provision to be made for taking the fifth census or enumeration of the inhabitants of the United States. The Constitution of the United States requires that this enumeration should be made within every term of ten years, and she date from which the last enumeration commenced was the first Monday of August of the year 1820. The laws under which the former enumerations were taken, were enacted at the Session of Congress immediately preceding the operation. But considerable inconveniences were experienced from the delay of legislation to so late a period. That law, like those of the preceding enumerations, directed that the census should be taken by the Marshals of the several districts and Territories, under instructions from the Secretary of State. The preparation and transmission to the Marshals of those instructions, required more time than was then allowed between the passage of the law, and the day when the enumeration was to commence. The term of six months, limited for the returns of the Marshals, was also found even then too short; and must be more so now, when an additional population of at least three millions must be presented upon the returns. As they are to be made at the short session of Congress, it would, as well as from other considerations, be more convenient to commence the enumeration from an earlier period of the year than the first of August. The most favorable season would be the Spring. On a review of the former enumerations, it will be found that the plan for taking every census has contained improvements upon that of its predecessor. The last is still susceptible

of much improvement. The third census was the first at which any account was taken of the manufactures of the country. It was repeated at the last enumeration, but the returns in both cases were necessarily very imperfect. They must always be so, resting of course only on the communications voluntarily made by individuals interested in some of the manufacturing establishments. Yet they contained much valuable information, and may, by some supplementary provision of the law, be rendered more effective. The columns of age, commencing from infancy, have hitherto been confined to a few periods, all under the number of 45 years. Important knowledge would be obtained by extending those columns, in intervals of ten years, to the utmost boundaries of human life. The labor of taking them would be a trifling addition to that already prescribed, and the result would exhibit comparative tables of longevity highly interesting to the country. I deem it my duty further to observe, that much of the imperfections in the returns of the last and, perhaps of preceding enumerations proceeded from the inadequateness of the compensations allowed to the Marshals and their assistants in taking them.

In closing this communication, it only remains for me to assure the Legislature of my continued earnest wish for the adoption of measures recommended by me heretofore, and yet to be acted on by them; and of the cordial concurrence on my part in every constitutional provision which may receive their sanction during the Session, tending to the general welfare.

JOHN QUINCY ADAMS.

FOREIGN.

LATEST FROM EUROPE.

New York, December 1.

The accounts we publish to-day, received by the ship *Romani*, leave the question of Russian and Turkish hostilities as unsatisfactory as before. Certain it is, that on the 1st of October, *Varna* had not fallen, and equally certain it is, that the Turkish corps, amounting, according to the Russian bulletin to 30,000 men, had left Choumla and marched to the relief of *Varna*—under the walls of which, almost, it had, after hard fighting, successfully entrenched itself. The detachment of so large a force would seem to prove that the Russian force investing or beleaguering Choumla, had, as has been alleged, either finally retreated—or, at any rate, fallen back for a time. The Grand Signior had left Constantinople preceded by the standard of Mahomet, which consists, according to Dr. Walsh, of a pair of breeches worn by the prophet. The rumor that the Porte had acceded to the mediation of England and France for the pacification of Greece, may, we would hope, be received as quite probable.

Russia and Turkey.—The Prussian State Gazette of the 12th October, contains bulletins from the Russian armies before Schumla, Varna, and Silistria, the former from the 18th to the 21st ult., from Varna to the 23d ult. According to these, the accounts of the disasters of the Russians, received from Bucharest and other quarters, are either wholly unfounded or grossly exaggerated. If these are to be credited, the siege of Schumla, said to have been abandoned, and to have been followed by a disastrous retreat of the Russians on the 14th or 15th ult. was not raised on the 21st ult. and the Russians were successfully pressing the siege of Varna on the 23d ult.

Frankfort, Oct. 15.

There has been a rumor afloat here, for some days, that the blockade of Varna is raised. Though the latter official news has exposed this falsehood, the Funds, which had experienced a fall, have not yet recovered.

Odessa, Sept. 25.

His Majesty, the Emperor, is still with the besieging corps before Varna, which fortress daily sees some of its bulwarks fall. The bravery of the Russian army, animated by the presence of the Emperor, is beyond all description. Even during the night the bombardment continues. Very strong reinforcements have been thrown up at Genibazor. The siege of Varna is covered by that position. All the corps on the Danube have received large reinforcements during the last six weeks; so that no apprehensions are entertained of any attack by the Turks. Varna must fall in a few days, and the operations of our army may therefore be more extended. Heavy thunder showers had cooled the air, and had great influence on the health of the troops. Almost all the sick have been removed to Bozardjik and Kavarna.

The Prussian Gazette states that the earthquake at Old Schemacha, in Schinwan, destroyed, on the 21st July, and 7th of August, 247 houses and 30 shops, and damaged 179 houses and 20 shops. In divers settlements in the province, there were 302 houses thrown down. One half of the village of Ischagan sunk into the earth.

London, October 23.

The Corn Market to-day, so far as respects English Wheat, continues the same as on Monday. Bonded Wheat may however be quoted two shillings a quarter higher. The farmers complain much of the new Wheat, yielding little under the fall.

Liverpool, October 26.

The corn market has again changed its character. At the public market on the 21st instant, Wheat was sold at 1s 6d per 70 lbs. decline from the highest value of this month, but it has subsequently advanced, attributable in a great measure to speculative operations, quite 1s per 70 lbs. and is now steady at that advance.

From the National Intelligencer.

Among the on dils of the day, is one that the President elect, with his wife, is about to leave Tennessee, to take up his abode for the Winter in Philadelphia, to be in readiness thence to proceed, on the 4th of March, without inconvenience or fatigue, to the Seat of Government. Another is, that Mr. Adams has taken a house at Washington for his permanent residence, after the expiration of his term of service as President. We know not what faith is to be placed in either of these rumors; though, from the circumstance that Mrs. Adams's health, which for many years has been delicate, is always better at Washington, of which the climate is peculiarly congenial to her, than elsewhere, we should think the latter one not improbable.

Printing

Neatly executed at this office.

Legislature of N. Carolina.

SENATE.

Monday, Dec. 1.

On motion of Mr. Wellborn. Resolved, That a joint select Committee be appointed to take into consideration the expediency of erecting some tribunal for the trial of all minor offences against the State, with leave to report by bill or otherwise.

The bill for the erection of a new county in the west, from that portion of Haywood designated as the Cherokee purchase, was taken up, and, after debate, passed its final reading in this House by the following vote, and was sent to the House for concurrence:

YEAS.—Messrs. Alexander, Brodnax, Burgin, Burney, Burns, Brown, Davidson, Davis, Deberry, Franklin of Iredell, Franklin of Surry, Hardin, Joiner, Love, McDiarmid, McDowell, McEachin, McFarland, McInnis, McNeill, Marshall, Meares, Mebane, Parker, Pugh, Ramsay, Reinhardt, Scott, Smith of Davidson, Smith of Person, Shober, Shuford, Wellborn—33 for the passage.

NAYS.—Messrs. Askew of Bertie, Askew of Hertford, Bailey, Beasley, Bell, Boddie, Croom, Davenport, Harrell, Hinton, Leonard, McDaniel, Matthews, Miller, Patterson, Riddick, Royall, Ruffin, Salyer, Sherard, Spaight, Walton, Ward, Williams of Beaufort, Williams of Martin, Wilson—26 against the passage.

Tuesday, Dec. 2.

Mr. McEachin presented a bill for the better regulation of retailing spirituous liquors—which passed its first reading.

Mr. Davidson submitted the following resolution which was adopted.

Whereas, it appears from the books of the Comptroller's office, that there is a large balance due from the United States to this State:

Therefore, Resolved, That the claims of this State against the United States, be referred to a joint select committee, of three members from each House, to enquire into the demand, and report such measures as ought to be taken to obtain payment.

Wednesday, Dec. 3.

Mr. Meares presented a bill to appropriate—thousand—hundred dollars, for improving the navigation of Cape Fear River between Wilmington; which was read the first time and ordered to be referred to a select committee of four members of each House. Messrs. Meares, Brodnax, Mebane and Burney were named the committee on the part of the Senate.

Mr. Deberry presented a bill to provide for the final settlement of executors and administrators; which was read the first time and ordered to be printed.

The engrossed bill to repeal the act of last session, for the better regulation of the County Courts of Robeson, was amended on motion of Mr. McEachin, read the second and third times, and passed.

Thursday, Dec. 4.

On motion of Mr. Wilson, the Senate proceeded to consider the resolution appointing a select joint committee to take into consideration the expediency of instructing our Senators and requesting our Representatives in Congress to obtain for this State, a proportionate part of the public funds for the purpose of Internal Improvements. The resolution having been read, Mr. Wilson moved the following is an amendment, which with the resolution was made the order of the day for Monday next:

Whereas, by the 10th article of the Constitution of the United States, it is declared that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the People.

Be it therefore resolved, as the opinion of this Legislature, that the right by the Congress of the United States to carry on Internal Improvements in the several States, or to appropriate the funds of the General Government for this purpose, is not contained in the granted powers of the Constitution of the U. States, and is at variance with the rights reserved to the States, and not sanctioned by sound policy.

The Senate took up the order of the day, Mr. Davidson in the Chair, being the bill to provide for the draining of Mattamuskeet Lake. The bill was finally rejected, 31 to 27.

Friday, Dec. 5.

Mr. Ramsay presented a bill to amend an act to provide a revenue for the payment of the civil list and contingent expenses of Government, passed in 1822.

Mr. McFarland, a bill prescribing the sum Jurors shall be paid for their services in the county of Richmond. Read three times and ordered to be engrossed.

Mr. Meares, from the Committee on the Judiciary, to whom a resolution on the subject was referred, reported a bill to prevent frauds in the execution of mortgages and deeds of trust. Read the first time.

The bill for the inspection of Steam mill Lumber was read the third time and sent to the House for concurrence.

HOUSE OF COMMONS.

Monday, Dec. 1.

On motion of Mr. Potter, Resolved, That the Treasurer be and he is hereby directed, to demand immediately, an inspection of the books of the State Bank of N. C. so far as is necessary to ascertain the amount of the capital stock of the said bank, of the debts due to the same, of the moneys deposited therein, of the notes in circulation, and of the cash in hand.

On motion of Mr. Waddell, of Orange, the Judiciary committee were instructed to enquire into the expediency of so amending the law in relation to Justice's executions, as to give to the execution first levied, on personal property, a priority of lien: To enquire also into the expediency of so amending the law relating to the bonds taken by constables for the forthcoming of property levied on, under Justice's executions, as to require said bonds to be subscribed by one creditable witness.

Tuesday, Dec. 2.

Mr. Smith presented a bill, to amend the 9th section of an act passed in 1806, chap. 693, for the more convenient administration of justice within this State. Read and made the order of the day for Thursday.

Mr. Alford, a bill to repeal an act passed last session, for the better regulation of the County Courts of Robeson. Read three times and ordered to be engrossed.

Mr. Nash, from the Judiciary committee, to whom a resolution on the subject was re-

ferred, reported a bill for revising and digesting the public statute laws of this State. Read the first time, made the order of the day for Monday next, and ordered to be printed.

On motion of Mr. Newland, the House resolved itself into a committee of the whole on the bill to erect out of part of the counties of Burke and Buncombe, a separate and distinct county. After some debate, the committee rose, reported progress and obtained leave to sit again on said bill.

Wednesday, Dec. 3.

A message from the Senate, stating that Messrs. Wellborn, McDiarmid, McNeill, Deberry and Royal from the committee on their part to take into consideration the expediency of directing the State Engineer to examine and lay off a road from Fayetteville to Wilkesborough, and Messrs. Wellborn, Meares, Alexander, Marshall and Bailey to take into consideration the expediency of creating some tribunal for the trial of minor offences against the State. On the part of this House, Messrs. Fisher, Ship, Eccles, Gordon and Allison were appointed on the first of said resolutions, and Messrs. Spruill, Gray, Mitchell, Ruffin and Swain on the second.

The resolution from Senate, appointing a joint select committee to enquire into the demand of the State against the general government, was concurred in, and Messrs. Gaston, Spruill and Swain were appointed said committee on the part of this House.

Mr. Potter presented a bill for the improvement of military discipline; which was read the first time and referred to the Military committee.

The Speaker laid before the House, an exhibit of the situation of the State Bank, transmitted by the public Treasurer in pursuance of the resolution of the 1st instant; which was ordered to be printed.

Received from the Governor a communication relative to a Penitentiary and a Lunatic Asylum; which was sent to the Senate, with a proposition to refer it to the joint select committee on the Penitentiary and Lunatic Asylum.

Thursday, Dec. 4.

Mr. Gaston presented the memorial of the Religious Society of Friends, commonly called Quakers, of New Garden Yearly meeting, protesting against being compelled to bear arms, or being taxed as an equivalent for such exemption. Referred to the Military committee.

The Governor sent to the Legislature, a communication from the stockholders of the State Bank, on the subject of winding up this Institution, being the same which appeared in the last Register. It was referred to the Committee on Banks.

Friday, Dec. 5.

Mr. Nash from the committee on the Judiciary, to whom a resolution on the subject was referred, reported a bill amendatory of the act passed in 1826, to prohibit the trading with slaves. Read the first time.

On motion of Mr. Jarman, the Judiciary committee were instructed to enquire into the utility of so amending the law as respects outlaws, that more speedy detection can be obtained.

On motion of Mr. Bogle, the committee of Finance were instructed to enquire into the propriety of increasing the tax on all Equestrian Performers, Stage Players &c. &c.

From the Register of Tuesday last.

Legislative.—On Friday last, Thomas Rufin Esq. resigned his appointment as one of the Judges of the Superior Court. Willie P. Mangum Esq. is in nomination to fill the vacancy.

On the same day, two ineffectual ballotings were had for Governor. They resulted as follows:

	1st	2d
R. D. Spaight	50	52
John Owen	43	49
Mont. Stokes	29	29
Willis Alston	26	19 withdrawn
James Mebane	23	24
Scattering	6	

On Saturday there were three ballotings, and on the last two, only as many candidates, and yet there was no election, a circumstance, we suspect almost unprecedented:—

	3d	4th	5th
Spaight	80	80	89
Owen	71	89	92
Stokes	22		
Mebane	11		
Scattering	2	4	5

On the same day, a bill was introduced by Mr. Nicholson, to establish a Medical Board in this State, for the purpose of examining and granting licenses to such persons as may be desirous of practising Medicine.

We stop the press to announce the election of JOHN OWEN, of Bladen, as Governor, for the ensuing year, by the following vote: Owen 96, Spaight 92, Scattering 2.

The Supreme Court of this State commenced its winter Term on Monday the 1st inst.—Present all the Judges.

The following gentlemen have obtained Licenses to practise Law, during the present term of this Court:

In the County Courts.—Jesse Spaight, of Greene, M. Patton, of Buncombe, and Sam. F. Wilson, of Craven.

In the Superior Courts.—Richd. E. Fortune, of Buncombe, and William J. Anderson, Cumberland.

Fanaticism.—A man who calls himself Christ, and who says he has come to judge the world, appeared in Guernsey county, in the State of Ohio, a few weeks ago; and, strange as it may seem, has collected a band of deluded followers, who worship him as a God. Some of his disciples are said to be respectable people, and have neglected their business to follow after this fanatic.

Professor Hitchcock, of Amherst College, has obtained a globule of Tin, from a specimen of ore, found at Goshen, Hampshire county, Massachusetts. This is the first tin ore found in the United States.

From the Raleigh Register.

State Bank.—The Stockholders of the State Bank convened at the Bank in this city on Monday last. Col. Wm. Polk being called to the Chair and J. Gales appointed Secretary, the meeting proceeded to business.

After appointing a committee to examine the proxies of absent Stockholders, and to ascertain the number of votes to which the State is entitled at this election. Mr. Boylan, the President, laid before the meeting a general Statement of the Affairs of the whole Institution, and particular statements of the Principal Bank and each of its Branches. At the same time, information was given of the determination of the Bank; that he was induced to do so because his own affairs required more of his attention than he could give them while he held the office, and because the peculiar situation of the Bank, in his opinion, required the attention of some Gentleman of distinguished legal talents to direct and manage its concerns.

Mr. P. Browne observed, that he was perfectly satisfied with the manner in which the Gentleman who at present presided over the Institution had conducted its affairs; and thought with him, that its present critical situation, called for eminent legal talents to direct its affairs; that the Bank had several important suits on hand, which could be properly attended to only by a person of this description. That himself and some other Stockholders with whom he had consulted, who had some time thought on this subject, had agreed around to find a suitable character to sign his seat on the Bench of the Superior Courts, it occurred to them, that he was in every respect, well qualified to occupy the office. He was therefore applied to, and had agreed to accept of the situation, and to attend to all the suits and law business of the Institution, for \$2500 a year. This sum would appear large to the Stockholders; but it was not expected that a man possessing talents and acquisitions of Judge Rufin would devote himself to the interests of the Institution, as proposed, without receiving equivalent for his services; and, on the whole, he believed it would be true economy to adopt this course, when it is considered that it will save the Bank the large fees which it has had to pay heretofore for the services of eminent Lawyers to attend to its business.

Judge Cameron was favorable to the proposed change, and expressed his belief that no person could be found better qualified for the situation than the Gentleman who had been named. Judge Donnell enquired to what extent was expected Judge Rufin would give up time and attention to the business of the Bank. Whether he would relinquish his professional business, except so far as was necessary to attend to the suits of the Bank? Or whether he would attend to the law business of others who might apply to him? Mr. P. Browne replied, that it was understood Judge Rufin would attend to business of others as well as that of the Bank, in the Courts held in this County, (in which the Bank would generally have suits, but would go to no other courts except the interests of the Bank required his attendance. The question being taken on increasing the salary of the President of the Bank to \$2500, it was unanimously carried.

The meeting then proceeded to the election of Directors of the Principal Bank, for the ensuing year, when the following Gentlemen having received a large majority of the votes present, were declared duly elected, viz:

Principal Bank.—Thomas Rufin, William Boylan, William Polk, Duncan Cameron, William Peace, Theophilus Hutton, John Bell, T. D. Bennehan, Peter Brown, Alfred Jones, Joseph Gales, H. M. Miller, William Hill, William McPheters, J. S. McNeill, Geo. E. Badger, B. A. Barham, Daniel Clark, Charles G. Spaight.

On motion of Mr. Shober, the statements of the situation of the Bank, laid before the meeting by the President, were committed to a committee composed of Mr. P. Browne, Judge Donnell, Mr. Hugh Campbell, Mr. S. Jones, Mr. Snow and Mr. Shober. The meeting then adjourned to Wednesday at 3 o'clock in the afternoon.

The newly elected Directors of the Principal Bank met the same evening, when, on motion of Mr. Boylan, Thomas Rufin, Esq. was unanimously chosen President. The Board being organized, proceeded to the choice of directors of the several Branch Banks. The following are the Directors of the

Fayetteville Branch.—Hugh Campbell, D. Henry, A. M. Bryde, J. M. Loran, A. Taylor, H. W. Ayer, J. Kelly, J. Baker, J. Eccles, W. M. Intyre, D. Smith (late of Wilmington) J. Evans, Jun. and H. Robinson. H. Campbell, President.

At an adjourned meeting of the Stockholders held this day, Mr. Browne, from the Committee appointed on the 1st inst. to investigate the accounts, and to enquire into the situation of the Bank, made the following REPORT:—

That in discharge of the duty committed to your Committee has examined the General Statement of the Affairs of the Institution, and the particular statements of those of the Principal Bank and each of its Branches, and the statements from the Branches.

Your Committee finds that the net profits, according to the Bank have diminished so much during the last half year, as to barely suffice for a dividend of two and a half per cent, without making any reserve to meet bad debts or other casualties. And the Charter expires in six years, it would, in the opinion of your Committee, be hazardous and unwise to endeavour to increase those profits by increasing loans. That dividend, therefore, instead of being increased, must probably be diminished; so that the Stockholders can ever hereafter, obtain legal interest on their money.

Your Committee next turned its attention to the Capital Stock, for the purpose of ascertaining whether it was secure. It appears, that upon